

Calendar Year 2022

- **May 27, 2022. The Department of Labor Clarifies Method of Contacting AFL-CIO Required Under the Rule Increasing the Number of H-2B Visas Available in the Second Half of Fiscal Year 2022**

The U.S. Departments of Labor and Homeland Security published a [temporary final rule](#) (TFR) increasing the numerical limitation on H-2B nonimmigrant visas for Fiscal Year (FY) 2022 positions with start dates on or after April 1, 2022, through September 30, 2022. The TFR included additional recruitment requirements for certain employers, including the requirement that where the occupation or industry is traditionally or customarily unionized, “the employer must contact (by mail, email or other effective means) the nearest American Federation of Labor and Congress of Industrial Organizations [AFL-CIO] office covering the area of intended employment and provide written notice of the job opportunity, by providing a copy of the job order placed pursuant to (a)(5)(i) of this section, and request assistance in recruiting qualified U.S. workers for the job.” 20 CFR § 655.65(a)(5)(iii).

As stated in the TFR, examples of such contact include emailing the job order, along with a request for assistance to recruit workers, to the appropriate AFL-CIO office or mailing such materials to the appropriate AFL-CIO office.

To aid employers who must conduct this additional recruitment step, one effective means of contacting the nearest AFL-CIO office covering the area of intended employment is to email the job order and request for assistance to: H-2B@aficio.org or contacting the national AFL-CIO by mail at the following address:

AFL-CIO
Attn: H-2B
815 Black Lives Matter Plaza NW
Washington, DC 20005

These materials will then be distributed to the most appropriate local office serving the area of intended employment for that job opportunity. Employers are encouraged to contact the AFL-CIO using the email or mailing address above, though contact directly with the AFL-CIO office covering the area of intended employment is also acceptable. Employers are reminded to retain documentation of contact with the AFL-CIO as required under 20 CFR § 655.66.